



STATE OF MARYLAND

**DHMH**

Maryland Department of Health and Mental Hygiene

*Board Of Physical Therapy Examiners*

## **BOARD MEETING OPEN MINUTES**

**April 19, 2011**

The meeting was called to order at 1:00 p.m. by the Chairperson,  
Shirley Leeper, PTA.

Call to Order

**Board members present:**

John Baker, PT, DPT  
Rhea Cohn, PT, DPT  
Ved Gupta, Consumer Member  
Krystal Lighty, PT, DPT  
Lori Mizell, PT, Vice Chairperson  
Lois Rosedom-Boyd, Consumer Member

**Board members absent:** Donald Novak, PT

**Also present:**

Ann E. Tyminski, Executive Director  
Joy E. Aaron, Deputy Director  
Linda Bethman, AAG, Board Counsel  
Ernest Bures, Compliance Manager  
John Bull, Investigator  
Paula Hollinger  
Deborah Jackson, Licensing Coordinator  
Nancy Staniel, Board Secretary  
24 Chesapeake Area Consortium PTA Program Students

Welcome was extended to the visiting students who attended the session to observe the procedures of the Board. They received licensure instructions and application packets from Ms. Jackson. She also explained the process for licensure, photograph requirements, and fees. Mrs. Tyminski explained the examination process. Mr. Bures and Mr. Bull conducted a Q&A session on legal requirements and issues for the students.

Chesapeake Area  
Consortium PTA  
Program

Ms. Tyminski introduced the new Board Secretary, Nancy Staniel.

Board Secretary



## Open Session Meeting Minutes

April 19, 2011

The minutes of the meeting held on March 15, 2011 were approved with one change. Minutes

Mr. Eric Stewart wrote to the Board regarding the procedure of complete tracheal suctioning within the context of treating patients in the ICU. The Board agreed that the PT must have complete competency in the procedure. Mr. Stewart's second question referred to a PT aide completing a transfer/mobility without a PT present. The board agreed that an aide could not complete a transfer/mobility unless they are under nursing supervision. Eric Stewart/Scope of Practice

Mrs. Tyminski advised the board that FSBPT would fund the delegate but not the alternate. Ms. Mizell is the current delegate and Ms. Lighty suggested that Ms. Mizell retain the position due to all the other personnel changes that are going on with the Board. The Board unanimously agreed. FSBPT Credentialing for Annual meeting

Ms. Leeper was on a conference call with Federation representatives. The call addressed the NPTE's position on restricted testing dates and the issuance of temporary licenses. The call also addressed restricted testing dates after September 2011 for PTs. NPTE/Fixed date testing

Ms. Tyminski explained that UMES is not graduating their students until September 20th and this date does not allow enough time to have transcripts received by the Board. Ms. Tyminski has contacted FSBPT and they refused to change deadline for approving candidates. UMAB has not contacted the Board office, although they have been instructed to do so, according to Ms. Lighty. The Board agreed that there is no short term fix and that temporary licensing is not an option. The last day to register to take the exam will remain June 15, 2011, to sit by June 30, 2011. UMES graduation date

Ms. Cohn attended an APTA workgroup which discussed terminology. It was determined that Intramuscular Therapy is the term being used by most Boards as a definition of dry needling. Ms. Cohn also advised the Board that there is minimal information available regarding curriculum content but that she should have additional information by mid-May. The Board agreed to revisit the issue of a Dry Needling definition and blueprint at a future meeting. Dry Needling

The Board reviewed the observations of Michelle Finnegan, PT, of Bethesda Physiocare, regarding dry needling and the ability of PTs to learn and understand the process in training courses. Dry Needling comments/M. Finnegan, DPT

Ms. Tyminski reported that the NPTE fee for PT and PTA will increase from \$370 to \$400 effective January 1, 2013. NPTE fee increase

1. The first step in the process of the investigation is to identify the problem.

2.

3. The second step is to gather information about the problem.

4. The third step is to analyze the information and determine the cause of the problem. This step involves identifying the factors that contribute to the problem and determining the relationships between them. It is important to consider both the immediate and long-term causes of the problem.

5. The fourth step is to develop a plan of action to address the problem.

6. The fifth step is to implement the plan of action and monitor the results. It is important to evaluate the effectiveness of the plan and make adjustments as needed.

7. The sixth step is to evaluate the results of the investigation.

8. The seventh step is to report the findings of the investigation to the appropriate authorities.

9. The eighth step is to take corrective action to prevent the problem from recurring.

10. The ninth step is to document the investigation and its findings. This documentation is important for future reference and for sharing the information with others.

11. The tenth step is to review the investigation process and make improvements.

12. The eleventh step is to disseminate the findings of the investigation to the appropriate parties.

13. The twelfth step is to provide training and education to the staff.

14. The thirteenth step is to establish a system of ongoing monitoring and evaluation.

15. The fourteenth step is to provide feedback to the staff.

16. The fifteenth step is to conclude the investigation.

Ms. Tyminski reported that an excellent training package has been put together by the Attorney General's office and investigators. There are a number of expert witnesses scheduled to come to the training. Ms. Aaron will be taking a meal count for the event.

Training May  
12/Update

Ms. Bethman distributed a draft of revisions that were taken to the Board Council for review. The Board reviewed the handout. Ms. Bethman acknowledged that the new draft may contain possible additional categories that weren't considered in the first draft. Several items were discussed, including definition 02B2, period of revocation, mitigating/aggravating factors, and sending prehearing letters. The Board reviewed civil fines, which were divided into 2 sections, (sections #8 and #9 were removed).

Monetary  
Penalties  
Regulation

The Board agreed that \$100 per day of seeing patients as a penalty for not renewing a license on time is reasonable.

Other changes to the draft regulations were reviewed and penalties determined.

The Board voted to deny the following continuing education course applications: "*Himalayan Institute Teachers Association Training Program*", because the course is open to everyone.

Continuing  
Education

"*Special Challenges in Student Supervision*," sponsored by Johns Hopkins Medicine. Disapproved due to insufficient information, there were no references or literature attached to the application.

"*Don't Worry! Be Happy! Harmonize Diversity and Improve Outcomes by Applying Knowledge Of Personality Types*". Also denied.

"*Family Caregivers-Doing Double Duty*". Also denied.

"*MNRI Dynamic and Postural Reflex Integration*." Also denied, but Board would consider if more detailed information is provided.

"*Preparing The Way: Introduction to 5 Element Acupuncture*" also denied.

"*Bariatric Surgery Update*", was denied.

Mr. Gupta left the session at 3:00 p.m.

Reports/  
Informational

The votes for the next Board Chairperson were tallied. Mr. John Baker, PT, DPT will be the next Board chairperson effective June 1, 2011. Ms. Tyminski will coordinate the transition. Ms. Lori Mizell, PT remains as Vice Chairperson.

Thoughts from a licensee regarding chiropractors performing physical therapy. Ms. Tyminski will file under "chiropractors" in case the information needs to be referenced in the future.

Rehabilitative Ultrasound Imaging Resource Paper – FSBPT. The Board voted to carry this over to the next board mtg.

1. *Chlorophyll a* and *Chlorophyll b* were determined by the method of Arar and Collins (1971) using a Shimadzu 1010 spectrophotometer.

1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374, 2375, 2376, 2377, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, 2450, 2451, 2452, 2453, 2454, 2455, 2456, 2457, 2458, 2459, 2460, 2461, 2462, 2463, 2464, 2465, 2466, 2467, 2468, 2469, 2470, 2471, 2472, 2473, 2474, 2475, 2476, 2477, 2478, 2479, 2480, 2481, 2482, 2483, 2484, 2485, 2486, 2487, 2488, 2489, 2490, 2491, 2492, 2493, 2494, 2495, 2496, 2497, 2498, 2499, 2500, 2501, 2502, 2503, 2504, 2505, 2506, 2507, 2508, 2509, 2510, 2511, 2512, 2513, 2514, 2515, 2516, 2517, 2518, 2519, 2520, 2521, 2522, 2523, 2524, 2525, 2526, 2527, 2528, 2529, 2530, 2531, 2532, 2533, 2534, 2535, 2536, 2537, 2538, 2539, 2540, 2541, 2542, 2543, 2544, 2545, 2546, 2547, 2548, 2549, 2550, 2551, 2552, 2553, 2554, 2555, 2556, 2557, 2558, 2559, 2560, 2561, 2562, 2563, 2564, 2565, 2566, 2567, 2568, 2569, 2570, 2571, 2572, 2573, 2574, 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592, 2593, 2594, 2595, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2604, 2605, 2606, 2607, 2608, 2609, 2610, 2611, 2612, 2613, 2614, 2615, 2616, 2617, 2618, 2619, 2620, 2621, 2622, 2623, 2624, 2625, 2626, 2627, 2628, 2629, 2630, 2631, 2632, 2633, 2634, 2635, 2636, 2637, 2638, 2639, 2640, 2641, 2642, 2643, 2644, 2645, 2646, 2647, 2648, 2649, 2650, 2651, 2652, 2653, 2654, 2655, 2656, 2657, 2658, 2659, 2660, 2661, 2662, 2663, 2664, 2665, 2666, 2667, 2668, 2669, 2670, 2671, 2672, 2673, 2674, 2675, 2676, 2677, 2678, 2679, 26

1. The first step in the process of identifying a problem is to recognize that a problem exists. This is often done by comparing current performance with a desired state or goal. If there is a discrepancy, a problem is identified.

1. *Chlorophyll a* and *Chlorophyll b* contents were determined by spectrophotometry using the method of Lichtenthaler and Whistler (1973).

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1. The first step in the process of identifying a problem is to recognize that a problem exists. This is often done by comparing current performance with a desired state or goal. If there is a significant difference, a problem is identified.

1. The first step in the process is to identify the problem. This involves gathering information about the situation and understanding the needs of the stakeholders involved.

JHU offered to forward the model for CEU "Continuing Competence".

The Board unanimously voted to close the open session at 3:30 p.m. to engage in medical review committee deliberations in accordance with State Government Article, Section 10-508 (a) (1). Unless recused, all Board members who were present for the open session participated in both the closed and administrative sessions.

The meeting was adjourned at 5:07 p.m.

Respectfully submitted,



Ann Tyminski, Executive Director

May 17, 2011  
Date approved



Shirley Leeper, PT, Chairperson

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